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Attorneys for Defendant Edwinna Firmeza

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 EDWINNA FIRMEZA,
15 Defendant.
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No. CR 12-00449-1 YGR
MODIFIED
STIPULATION AND [PROPOSED]
ORDER TO CONTINUE SENTENCING
HEARING FROM NOVEMBER 29, 2012
~~TO FEBRUARY 7, 2013~~
MARCH 14, 2013
Date: November 29, 2012
Time: 2:00 p.m.
Court: Hon. Yvonne Gonzalez Rogers

The above-captioned matter is set on November 29, 2012 at 2:00 p.m. before the Hon. Yvonne Gonzalez Rogers for sentencing. The parties request that the Court vacate this date and reset the matter for sentencing on ~~February 7, 2013~~.
March 14, 2013.

The reason for this request is that the defense is in the process of investigating issues surrounding restitution in this matter. Ms. Firmeza pled guilty to a charge of bank fraud relating to the misrepresentation of income on loan applications. Two houses were purchased after the loans were funded. On November 13, 2012, the US Attorney received documentation supporting the actual loss to the bank with respect to one property. This documentation was immediately

turned over to the defense and is currently being reviewed. No documentation has been produced with regard to the second property and discovery is ongoing.

The parties, including Probation, agree that restitution issues should be resolved, to the extent possible, prior to sentencing and therefore agree to the proposed continuance. Because Probation is unavailable in January, the parties have requested a sentencing date in February.
March.

SO STIPULATED.

Dated: November 14, 2012

/S/ _____
Keslie Stewart
Assistant United States Attorney

Dated: November 14, 2012

/S/
Camellia Baray
Attorney for Ms. Firmeza

1 For good cause shown, the sentencing hearing set for November 29, 2012 is continued to
2 March 14, 2013 at 2:00 p.m.
2 ~~February 7, 2012 at 2:00 p.m.~~

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4 IT IS SO ORDERED.

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7 DATED: November 26 ,2012

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Hon. Yvonne Gonzalez Rogers
United States District Judge